

Remarks

Applicants hereby elect Group 1, claims 1-15 and 24, with traverse.

Groups II and I have been identified to be related as process of making and product made, further stating that the black compound can be made by the use of two or more than two ionic components or by adding carbon black or another inorganic pigment to the mixture.

It is respectfully submitted that both sets of claims require the key features of having a first ionic dye component having a known color characteristic that absorbs light in at least a portion of the visible light spectrum, and a second ionic dye component having a known color characteristic that absorbs light in at least a portion of the visible light spectrum that is not absorbed by the first ionic dye component. In both groups, these first and second ionic dye components are complexed together to form an ionically complexed colorant compound that appears black in color. Thus, the process as claimed must produce a product having first and second ionic dye components are complexed together to form an ionically complexed colorant compound that appears black in color. Similarly, the product as claimed must be produced by first and second ionic dye components that are complexed together to form an ionically complexed colorant compound that appears black in color. Notwithstanding the possibility of additionally incorporating ingredients such as carbon black or inorganic pigment in either the compound claims or the process claims as noted in the Restriction Requirement, the fundamental commonality noted above dictates that these groups should not be restricted. Further, it is respectfully submitted that, in view of this substantial commonality, the search for the subject matter of one of these groups will necessitate a search of the subject matter of the other group. No substantial burden is therefore seen in consideration of both of these groups in a single application.

Groups II, IV and V have been identified to be unrelated, further stating that inventions are unrelated if they are not disclosed to be capable of use together and they have different modes of operation, function or effects. The Restriction Requirement further states that the groups present different inventions because the coating compositions of Group III cannot

function as inks or toners. It is respectfully submitted that all of these groups have a common mode of operation, function or effect in that they all use a black colorant of claim 1, which achieves its black color by the unique approach of having a first ionic dye component having a known color characteristic that absorbs light in at least a portion of the visible light spectrum; and a second ionic dye component having a known color characteristic that absorbs light in at least a portion of the visible light spectrum that is not absorbed by the first ionic dye component, wherein the first ionic dye component and the second ionic dye component are complexed together to form an ionically complexed colorant compound that appears black in color. Further, it is respectfully submitted that, in view of this substantial commonality, the search for the subject matter of one of these groups will necessitate a search of the subject matter of the other groups. No substantial burden is therefore seen in consideration of these groups in a single application.

Groups II is stated to be unrelated to Groups III, IV or V because “the process does not result in the product of any of those claims.” As noted above, all of Groups III, IV and V have a common mode of operation, function or effect in that they all use a black colorant of claim 1. As also noted above, the process of group II as claimed must produce a product of claim 1, in that the product has first and second ionic dye components that are complexed together to form an ionically complexed colorant compound that appears black in color. Thus, the process as claimed in Group II is related to Groups III, IV and V. Further, it is respectfully submitted that, in view of this substantial commonality, the search for the subject matter of one of these groups will necessitate a search of the subject matter of the other groups. No substantial burden is therefore seen in consideration of these groups in a single application.

Groups I and (Groups III, IV or V) are stated to be related as mutually exclusive species in an intermediate-final product relationship. As noted above, all groups have the commonality that they comprise a colorant comprising first and second ionic dye components as described herein that are complexed together to form an ionically complexed colorant compound that appears black in color. It is respectfully submitted that, in view of this substantial commonality, the search for the subject matter of one of these groups will necessitate a search of the subject matter of the other groups. No substantial burden is therefore seen in consideration of these groups in a single application.

The outstanding restriction requirement further requires an election of species as follows:

Species 1: The ionically complexed colorant compound comprising two anionic dye components complexed with a colorless cationic component.

Species 2: The ionically complexed colorant compound comprising two cationic dye components complexed with a colorless anionic component.

Species 3: The ionically complexed colorant compound comprising a cationic dye component complexed with an anionic component.

Species 4: The ionically complexed colorant compound comprising an anionic dye component complexed with a colorless cationic component.

Applicants hereby elect Species 3 with traverse. It is respectfully submitted that, in view of the substantial commonality in the nature of the species as identified above, the search for the subject matter of one of these species will necessitate a search of the subject matter of the other species. No substantial burden is therefore seen in consideration of all species as identified above in a single application.

Conclusion

In view of the above election and remarks, it is respectfully submitted that the foregoing is fully responsive to the outstanding Restriction Requirement. Early favorable consideration and passage of the above application to issue is earnestly solicited. In the event that a phone conference between the Examiner and the Applicant's undersigned attorney would help resolve any issues in the application, the Examiner is invited to contact said attorney at (651) 275-9811.

Date: May 6, 2005

Respectfully Submitted,

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